

City of Burien, Washington

Shoreline Advisory Committee

Meeting #5 Summary

February 11, 2009

4:00pm

(1) ATTENDANCE

SAC Members present	Technical Staff Present	Interested Parties Present
Brian Bennett Bruce Berglund Jim Branson Cyrilla Cook Bob Fritzen Victoria Hall Patrick Haugen David Johanson Rebecca McInteer Emelie McNett Lee Moyer Kim Otto Annie Phillips Steve Romer George Yocum Don Warren Joe Weiss	Liz Ockwell Karen Stewart	Bill Scharf Kirk Lakey, WDFW Bob Silverts John Upthegrove Chestine Edgar

(2) CONFIRM AGENDA

1. The agenda was confirmed

(3) REVIEW AND APPROVE MEETING #4 SUMMARY

1. The meeting summary was accepted as presented with the following exception:
 - The first bullet item under section 9 was stricken.

(4) SHORELINE MASTER PROGRAM UPDATE, PROGRESS REPORT AND

RECAP: David Johanson briefly summarized where we are in the SMP update process and handed out the last version of the Schedule of Tasks. David Johanson also handed out the latest version of the goals and policy document.

There was a discussion regarding proposed policy language and whether there will be an opportunity to amend it, specifically as it pertains to access to Lake Burien and the recent rezone of the Ruth Dykeman Children's School property. A discussion of the policy regarding access to the shoreline ensued.

- Lee Moyer commented on the public access element, that it didn't feel that Pol. PA 1.5 adequately addressed the importance of public access and proposed amendments to the existing language.

- Cyrilla Cook asked how the proposed Ruth Dykeman rezone would affect Pol. PA 1.5. David Johanson summarized the two predominate views on access to Lake Burien and how it relates to the recent rezone of a portion of the Ruth Dykeman property.
- Patrick Haugen suggested that a formal motion should be made and for the committee to vote on proposed revisions to the policy language.
- Lee Moyer made a motion to amend Policy PA 1.5 to read as follows;
Pol. PA 1.5 - The City should seek opportunities to develop new public access areas in locations dispersed throughout the shoreline through, Highest priority should be placed on reaches without existing public access. Mechanisms to obtain access to the shoreline include;
 - a. Tax-title properties;*
 - b. Donations of land and water front areas;*
 - c. Acquisitions using grants and bonds.*
- Motion was seconded by Rebecca McInteer
- Motion passed to revise the language of Pol. PA 1.5:
 9 in favor 4 opposed

(5) SHORELINE RESTORATION PLAN: Karen Stewart explained the contents of the Shoreline Restoration Plan. She stated that it is a catalog of opportunities and not obligations.

1. Cyrilla Cook would like to look at including elements of the restoration plan in the goals and policies; would like to see the restoration plan be a living document. Specifically on pg. 8 of restoration plan that states project monitoring should be a requirement when mitigation of impacts is required.
2. There was a discussion regarding monitoring of restoration projects – there was *consensus* that monitoring is important and should be incorporated into development regulations so they can be used in everyday situations.
3. Clarification was requested meaning of ‘Flexible Development Standards’. *Consensus* to modify 3rd bullet under Goals and Policies to read (Pol. REST 1.3) – New development and redevelopment activities in the shoreline should be offered incentives that provide opportunities to restore impaired ecological functions and processes.
4. There was concern that no one will be responsible for monitoring if a project has met its restoration objective. Karen Stewart commented that the last bullet point on pg. 4 might not cover all projects. It was also noted that there is monitoring language in Burien’s Critical Areas Regulations.
5. Don Warren commented that the City, in conjunction with residents, can help monitor mitigation/restoration. There should be overarching policy to cover this. Bruce Berglund commented that the whole picture should be paid attention to. A policy could include requiring reports from various agencies such as a report from the sewer district on non-functioning septic tanks on the shoreline. Staff responded that specific mitigation requirements and criteria will be addressed in the regulations document and normally the applicant is responsible to provide monitoring.

6. Joe Weiss discussed monitoring in Seahurst Park and the importance of long term monitoring to determine results. A discussion ensued about various agencies and the monitoring programs in place already.
7. Steve Roemer commented that a lot of the monitoring that's being done at Seahurst Park was not required by policy, but that it was a request of the residents of Burien.
8. Lee Moyer pointed out incorrect information on the table on pg. 2. The feet vs. miles do not equate correctly. Staff will review the table and make the appropriate adjustments.
9. Jim Branson asked if the Duwamish Tribe could be recognized as a tribe by the City of Burien. The City will try and find a contact with the Duwamish Tribe.

(6) CUMULATIVE IMPACTS ANALYSIS: Karen Stewart provided a copy of the table of contents for the total SMP to show how final master program will be organized and where all the documents fit. Karen Stewart then discussed how the Critical Area Regulations will address the Cumulative Impacts Analysis.

1. Lee Moyer asked how armoring of the shoreline affects the impact of flooding – it was pointed out that this is explained at the bottom of pg. 4.
2. Don Warren asked why there are no liabilities of risk called out in the City's impact analysis (i.e. financial impacts, risk management) of these regulations. Karen Stewart responded that the document only addresses natural functions on man-made items. The items Mr. Warren mentioned have been addressed by an economic analysis provide in the state SMP.
3. Clarification was provided that the Cumulative Impacts Analysis is focused on the impacts of new development and redevelopment only.

(7) SHORELINE ENVIRONMENT DESIGNATIONS

1. A handout was provided by Karen Stewart from WAC 173-26-211 for more information about the definition of the shoreline environment designations.
2. Karen Stewart and David Johanson reviewed how the designations were assigned and that the requirement for an aquatic designation was added by the state.
3. Jim Branson asked how the Urban Conservancy designation was decided upon – the response by staff was that it is based on the existing conditions and factored in items such as the designated area is the least armored part of the shoreline and contains the most natural and ecological functions.
4. Cyrilla Cook asked why the Urban Conservancy designation doesn't extend to the stream just to the north of the line. David Johanson responded that the area immediately north of the park is developed with single-family homes and is heavily armored and therefore it did not seem appropriate to designate it as conservancy.

(8) SHORELINE USE AND MODIFICATION POLICIES AND REGULATIONS

1. Karen Stewart reviewed the Shoreline Use Table and handed out a list of definitions.

2. Patrick Haugen asked if land owned by the Shorewood Shore Club would still be considered residential and would be allowed in the shoreline residential designation. The initial answer was yes, but after further discussion, it was agreed that private beaches could have a separate designation. Thurston County possibly has some language regarding this subject. Staff would look into how this may be achieved.
3. Annie Phillips commented that recreational aquaculture should be allowed as an outright use. There was discussion to define what non-commercial or residential use would mean – possibly defining the intensity of the activity?
4. Lee Moyer stated it could possibly be exempt/allowed as an outright use because the fishing license regulations covered the limits and requirements of the activity.
5. Regulations regarding buoys were discussed. Topics of discussion included; self regulation, relying on other agencies. It was mentioned that this is an opportunity for the city to have an active role in managing placement of buoys.
6. Options for local regulation of buoys were discussed. Options include requirement of one per property, buoys are only allowed for owners directly on the shoreline. Questions were asked about how it is dealt with by Department of Natural Resources and Army Corp of Engineers as they require permits for buoys. It was stated that the federal agencies look to local jurisdictions and their vision for the shoreline.
7. Policy REC 1.8 talks about mooring buoys, but is not specific on how many. The committee commented that policy language regarding the number and location of buoys should be revised. There was no consensus on how to regulate buoys?
8. The table Shoreline Use table was confusing for members of the committee. It was suggested that in situations where a use was not possible, that N/A was used instead of an X to signify it is not prohibited.

(9) NEXT MEETING

- The next meeting is scheduled for May 13, 2009. David Johanson recognized that these documents are substantial in size and to allow sufficient time for review and comment by the SAC he will accept comments for 2 weeks on the documents provided in this meeting.
- Staff will be taking all the comments as well as coordinating with DOE to prepare a much more refined document for the next meeting.
- The public open house has been moved back from its original date in order to complete the regulations document and further refine the associated goal and policies. The open house will most likely occur in mid June.

The meeting concluded at 6:17pm.